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Notice of Allowability	Application No.	Applicant(s)	
	10/824,425	YOSHIMURA ET AL.	
	Examiner	Art Unit	
	Timothy L. Rude	2883	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to election filed 08 February 2005.
2. ☒ The allowed claim(s) is/are 38-42 and 46-50.
3. ☒ The drawings filed on 15 April 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/623,370.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>20040720</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
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DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Invention I drawn to a particle sprayer apparatus in the reply filed on 08 February 2005 is acknowledged.

Claims 43-45 and 51-57 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 08 February 2005. Also, Applicant provided permission to cancel claims 43-45 and 51-57 upon the allowance of the claims directed to the elected invention in the reply filed on 08 February 2005.

This application is in condition for allowance except for the presence of claims 43-45 and 51-57 drawn to Invention II non-elected without traverse. Accordingly, claims 43-45 and 51-57 have been cancelled.

Allowable Subject Matter

Claims 38-42 and 46-50 are allowed.

The following is an examiner's statement of reasons for allowance:

As to claim 38, relevant prior art of record did not disclose, alone or in combination, a particle sprayer for disposing charged particles selectively on a substrate

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having a plurality of electrodes as claimed comprising: a conductive frame as claimed with an opening smaller in size than the substrate, being disposed on the top of the substrate disposed on the conductive stage, and being applied a voltage of the same polarity as the charged particle polarity thereto.

The above apparatus as claimed will serve to keep charged particles in the desired region as opposed to spilling out into the peripheral area and beyond.

The closest combination is Shinya (provided by Applicant) in view of Mitsuaki (provided by Applicant) who teach spraying charged spacer particles onto a substrate with a voltage of the same polarity as the spacer charge polarity applied to the transparent electrodes and a grounded conductive stage that is smaller than said substrate. However, Shinya in view of Mitsuaki do not teach the conductive frame as claimed above.

As to claims 39-42 and 46-50, they are directly or indirectly dependent upon claim 38 with allowable subject matter above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy L Rude whose telephone number is (571) 272-2301. The examiner can normally be reached on Monday through Thursday.

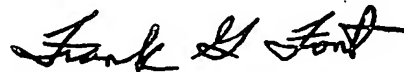
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-1550.



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Timothy L Rude
Examiner
Art Unit 2883



Frank G. Font
Supervisory Patent Examiner
Technology Center 2800